

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION</b>	)	<b>MDL 2804</b>
	)	<b>Case No. 1:17-md-2804-DAP</b>
<b>This document relates to:</b>	)	<b>Judge Dan Aaron Polster</b>
<i>State of Alabama v. Purdue Pharma LP, et al.</i>	)	
<b>Case No. 1:18-OP-45236-DAP (N.D. Ohio)</b>	)	

**PLAINTIFF STATE OF ALABAMA'S MOTION FOR LEAVE  
TO FILE ITS CONSOLIDATED RESPONSE TO DEFENDANTS'  
MOTIONS TO DISMISS UNDER SEAL**

Plaintiff, the State of Alabama (“Plaintiff”), seeks leave to file its Consolidated Response in Opposition to McKesson Corporation (Doc. 11) and the Manufacturer Defendants’ (Doc. 12) Motions to Dismiss under seal. Plaintiff files this Motion and Proposed Order (attached as **Exhibit A**) to ensure compliance with the Court’s Protective Order Re: DEA’s ARCOS/DADS Database, ECF Doc. 167 (hereinafter “ARCOS Protective Order”).

Local Rule 5.2 states: “No document will be accepted for filing under seal unless a statute, court rule, or prior court order authorizes the filing of sealed documents.” Loc. R. 5.2.

On March 6, 2018, the Court issued a Protective Order regarding the “ARCOS Data,” and stated:

If contained in a pleading, motion, or other document filed with this Court, any Designated Information must be marked with the applicable confidentiality designation, designated as “Subject to Protective Order,” and filed under seal with prior Court authorization. Only the portions of the filed document containing Designated Information are subject to being filed under seal, and a party shall file both a redacted version for the public docket and an unredacted version for sealing.

ARCOS Protective Order, at ¶ 8.

Plaintiff’s Consolidated Response will contain information that is subject to the Court’s ARCOS Protective Order. Therefore, Plaintiff respectfully requests leave to file its Consolidated

Response under seal, so there are no inadvertent disclosures of Defendants' confidential information or information subject to the ARCOS Protective Order.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to grant Plaintiff's Motion for Leave to File its Consolidated Response Under Seal.

Respectfully submitted,

Steve Marshall  
*Attorney General*

By:

/s/ Rhon E. Jones

Rhon E. Jones  
*Deputy Attorney General*

Joshua P. Hayes  
*Deputy Attorney General*

Attorneys for Plaintiff, State of Alabama

ADDRESS OF COUNSEL:

Steve Marshall  
*Attorney General*

Corey L. Maze  
*Special Deputy Attorney General*

Winfield J. Sinclair  
*Assistant Attorney General*

Michael G. Dean  
*Assistant Attorney General*

Office of the Attorney General of Alabama  
501 Washington Avenue  
Montgomery, AL 36130  
Phone: (334) 242-7300  
Fax: (334) 242-4891  
cmaze@ago.state.al.us  
wsinclair@ago.state.al.us  
mdean@ago.state.al.us

OF COUNSEL:

Jere L. Beasley – ASB 1981A35J  
Rhon E. Jones – ASB 7747E52R  
Richard D. Stratton – ASB 3939T76R  
Jeffrey D. Price – ASB 8190F60P  
J. Ryan Kral – ASB 9669N70K  
J. Parker Miller – ASB 7363H53M  
**Beasley, Allen, Crow, Methvin,  
Portis & Miles, P.C.**  
218 Commerce Street  
Post Office Box 4160 (36103-4160)  
Montgomery, Alabama 36104  
Telephone: (334) 269-2343  
Fax: (334) 954-7555  
Jere.Beasley@BeasleyAllen.com  
Rhon.Jones@BeasleyAllen.com  
Rick.Stratton@BeasleyAllen.com  
William.Sutton@BeasleyAllen.com  
Ryan.Kral@BeasleyAllen.com  
Parker.Miller @BeasleyAllen.com

Robert F. Prince – ASB-2570-C56R  
Joshua P. Hayes – ASB-4868-H68H

**Prince, Glover & Hayes**  
1 Cypress Point  
701 Rice Mine Road North  
Tuscaloosa, Alabama 35406  
Telephone: (205) 345-1234  
Fax: (205) 752-6313  
rprince@princelaw.net  
jhayes@princelaw.net

**CERTIFICATE OF SERVICE**

I hereby certify that on July 30, 2018, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtain through, the Court CM/ECF Systems.

/s/ Rhon E. Jones  
OF COUNSEL